



**Zsuzsanna E. Benedek**  
Senior Counsel  
240 North Third Street, Suite 300  
Harrisburg, PA 17101  
Telephone: 717.245.6346  
Fax: 717.236.1389  
sue.benedek@centurylink.com

July 21, 2011

**VIA ELECTRONIC FILING**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
400 North Street, Second Floor  
Harrisburg, PA 17120

Re: AT&T Communications of Pennsylvania, Inc. v. Verizon Pennsylvania Inc. and  
Verizon North LLC - Docket No. C-20027195

Dear Secretary Chiavetta:

On behalf of The United Telephone Company of Pennsylvania LLC d/b/a CenturyLink, attached please find CenturyLink's Answer to the Petition to Reopen the Record as filed by Verizon Pennsylvania Inc. and Verizon North LLC. Should you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

A handwritten signature in dark ink, appearing to read "Sue Benedek", written in a cursive style.

Sue Benedek

ZEB/jrh  
enclosures

cc: The Honorable Cynthia Fordham (*via overnight mail and electronic mail*)  
Certificate of Service (*via electronic and first-class mail*)

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

AT&T Communications of Pennsylvania, LLC	)	
	)	
v.	)	Docket No. C-20027195
	)	
Verizon Pennsylvania Inc.	)	
and Verizon North, LLC	)	

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**ANSWER OF CENTURYLINK  
TO  
VERIZON’S PETITION TO REOPEN THE RECORD**

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On July 11, 2011, Verizon Pennsylvania Inc. and Verizon North LLC (collectively “Verizon”), filed a Petition to Reopen the Record in the above-captioned proceeding (“Petition”). Verizon seeks the following outcomes from its Petition: (1) to open the proceeding for the purpose of “providing evidence regarding the impact of the [Commission’s] decisions in the RLEC access investigation”<sup>1</sup>; (2) to modify the briefing schedule pending disposition of its Petition; and (3) to schedule a further telephonic prehearing conference.<sup>2</sup> Answers to the Petition are due July 21, 2011.<sup>3</sup> On July 18, 2011, the Commission entered an Opinion and Order the RLEC access proceeding at docket number I-00040105.

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<sup>1</sup> Petition at p. 1. Specifically, Verizon requests reopening for additional direct testimony and rebuttal testimony, followed by a hearing for cross examination (unless waived by all parties). If Verizon’s Petition is granted, then additional briefs would be required.

<sup>2</sup> ALJ Fordham granted Verizon’s request, as agreed to by several parties, to modify the briefing schedule as follows: (1) Main Briefs due on August 16, 2011; and (2) Reply Briefs due on September 9, 2011. Judge Fordham indicated that she will address Verizon’s Petition prior to August 16, 2011.

<sup>3</sup> 52 Pa. Code §5.571(c).

The United Telephone Company of Pennsylvania LLC d/b/a CenturyLink (“CenturyLink”) submits this Answer in opposition to Verizon’s Petition. Verizon’s Petition should be denied.

Verizon has failed to demonstrate that the Commission’s July 18, 2011 Opinion and Order in the RLEC access case at docket number I-00040105 constitutes as a change in fact or law such that the relief of delaying Verizon’s access proceeding is required. The two access proceedings intentionally remain on separate tracks.<sup>4</sup> The cases have not been consolidated. Indeed, Verizon has already benefitted from a delay in the procedural schedule associated with its proceeding.<sup>5</sup> Verizon has failed to provide any reason to depart from the Commission’s intended procedural track whereby the result in the RLEC access case is followed promptly by a result in Verizon’s access case.

Moreover, Verizon’s attempt to link the cases from a substantive standpoint simply to infuse delay in Verizon’s proceeding is misplaced.<sup>6</sup> Certainly, the Commission’s July 18, 2011 Opinion and Order is a “landmark” order relative to the impact on the RLECs. However, the Commission’s July 18, 2011 Order does not have any similar impact on Verizon.<sup>7</sup> Thus, the “complex and disputed policy” now claimed by Verizon in support of its Petition does not rise to the level of a change in fact or law – and nor does the public interest require further delay in the Verizon access proceeding. Indeed, in the Commission’s May 10, 2010 Order starting the refresh proceeding relative to Verizon, none of the issues identified by the Commission involved the RLECs:

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<sup>4</sup> PA PUC Order entered May 11, 2010, p. 19 (“By reopening Verizon’s access charge investigation we will be in a position to ensure consistency in addressing outstanding access rate issues.”).

<sup>5</sup> See e.g., Commission Order entered May 10, 2010 at p. 18 (delaying conduct of evidentiary hearings in the Verizon access case until after the issuance of a Recommended Decision from Judge Melillo in the RLEC access proceeding).

<sup>6</sup> Verizon claims both cases will address “for the first time many of the most fundamental questions of access pricing law and policy that are at issue in this case.” Petition at p. 2, para. 1.

<sup>7</sup> Petition at p. 1. See also, Petition at para. 8.

We note that the stay has rendered some of ALJ Fordham's recommendations moot, while others have since been resolved in subsequent proceedings. Nevertheless, it is apparent that the record in this investigation needs to be updated. As such, in addition to our specific directives, *infra*, we will direct the ALJ and the Parties to consider those issues that still need to be resolved in the reopened investigation and whether any parts of the developed record in the investigation can be used or whether they need to be refreshed.

With regard to our specific directives for matters to be addressed in this investigation, we shall afford the participating parties due process opportunities to supplement the evidentiary record including any issues that were not adjudicated at the time of the Remand before the ALJ. In addition to the supplemental issues that will be raised by the parties, the participating parties shall address and provide record evidence on the legal, ratemaking and regulatory accounting linkages between (a) any FCC ruling that may have an impact on intrastate switched access charges; (b) the intrastate access charge reform for ILECs in view of the new Chapter 30 law and its relevant provision at 66 Pa. C.S. §§ 3015(g), pertaining to "Rate change limitations," and 3017, pertaining to "Access charges;" and (c) the potential effects on rates for Verizon's basic local exchange services. In addition, should the resulting rate changes from this investigation occur within the context of the Verizon Companies' subsequent Price Change Opportunity filing, the ALJ shall address the potential implications of the resulting rate changes in the calculations associated with the relevant PCO filing and why those resulting rate changes would be considered lawful, just and reasonable pursuant to the Chapter 30 law.<sup>8</sup>

Clearly, the application of revenue neutrality at the heart of access reform in Pennsylvania remains specific to Verizon. Verizon's Petition fails to demonstrate any change in law or fact, or any public interest need, for additional delay now that that record in its case is closed.

Finally, the "open ended" nature of Verizon's Petition is particularly glaring. Verizon claims that its request constitutes a "limited reopening" of the evidentiary record,

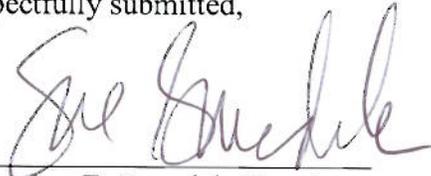
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<sup>8</sup> Order Entered May 10, 2010 at pp. 21-22 (*emphasis added*). See also, the Commission's Ordering Para. 6 at which the Commission noted "linkages," but a nexus or linkage to the RLEC access case was not included.

but that is not the case.<sup>9</sup> The relief requested by Verizon is not limited. Rather, Verizon wants two rounds of written expert testimony, additional briefing, another hearing, and a further telephonic conference call. In support, Verizon without any support claims delay of its case somehow will render a record “more useful” to the Commission. No details of such an assertion are provided by Verizon. Nor does Verizon explain why the Commission cannot simply take judicial notice of the July 18, 2011 RLEC access order.

Verizon has failed to demonstrate need for the relief it seeks.

Respectfully submitted,



Zsuzsanna E. Benedek, Esquire  
Attorney ID No. 60451  
240 North Third Street, Suite 300  
Harrisburg, PA 17101  
Direct Phone: (717) 245-6346  
Fax: (717) 236-1389  
E-mail: [sue.benedek@centurylink.com](mailto:sue.benedek@centurylink.com)

Counsel for  
The United Telephone Company of  
Pennsylvania LLC d/b/a CenturyLink

Dated: July 21, 2011

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<sup>9</sup> Petition at p. 4, para. 8.

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>AT&amp;T COMMUNICATIONS OF PENNSYLVANIA, INC. v. VERIZON NORTH LLC AND VERIZON PENNSYLVANIA INC.,</b>	<b>Docket No. C-20027195</b>
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**CERTIFICATE OF SERVICE**

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I hereby certify that I have this 21<sup>st</sup> day of July, 2011, served, a true copy of the forgoing Answer, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code §1.54:

Norman J. Kennard, Esquire  
Regina L. Matz, Esquire  
Thomas, Long, Niesen and Kennard  
212 Locust Street, Suite 500  
Harrisburg, PA 17108

Robert Barber, Esquire  
AT&T Communications of PA  
3033 Chain Bridge Road, B-L12.301  
Oakton, VA 22185

Harry Geller, Esquire  
PA Utility Project  
118 Locust Street  
Harrisburg, PA 17101

Joel Cheskis, Esquire  
Office of Consumer Advocate  
555 Walnut Street, 5<sup>th</sup> Floor  
Harrisburg, PA 17101

Johnnie Simms, Esquire  
Pennsylvania Public Utility Commission  
Office of Trial Staff  
400 North Street, Second Floor  
Harrisburg, PA 17120

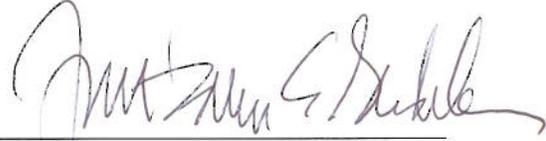
Steven Gray, Esquire  
Office of Small Business Advocate  
300 North Second Street  
Commerce Building, Suite 1102  
Harrisburg, PA 17101

Michelle Painter, Esquire  
Painter Law Firm, PLLC  
13017 Dunhill Drive  
Fairfax, VA 22030

Gregory Romano, Esquire  
Verizon Communications, Inc.  
One Verizon Way  
Mailcode; VC54S204  
Basking Ridge, NJ 07920

Suzan D. Paiva, Esquire  
Verizon Pennsylvania Inc.,  
1717 Arch Street, 10<sup>th</sup> Floor  
Philadelphia, PA 19103

Michael A. Gruin, Esquire  
Stevens and Lee  
17 North Second Street, 16<sup>th</sup> Floor  
Harrisburg, PA 17101



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Zsuzsanna E. Benedek  
Attorney ID No. 60451  
240 North Third Street, Suite 300  
Harrisburg, PA 17101  
Phone: (717) 245-6346  
Fax: (717) 236-1389  
e-mail: [sue.benedek@centurylink.com](mailto:sue.benedek@centurylink.com)

**Counsel for CenturyLink**